

1 THE WAND LAW FIRM
Aubry Wand (SBN 281207)
2 400 Corporate Pointe, Suite 300
Culver City, California 90230
3 Telephone: (310) 590-4503
Facsimile: (310) 590-4596
4 E-mail: awand@wandlawfirm.com

SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNS LLP
Todd M. Schneider (SBN 158253)
Jason H. Kim (SBN 220279)
Kyle G. Bates (SBN 299114)
2000 Powell Street, Suite 1400
Emeryville, California 94608
Telephone: (415) 421-7100
Facsimile: (415) 421-7105
E-mail: tschneider@schneiderwallace.com
jkim@schneiderwallace.com
kbates@schneiderwallace.com

5
6
7
8 *Attorneys for Plaintiff and the Class*

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 JAMES KNAPP, individually and on behalf of
14 all others similarly situated,

15 Plaintiff,

16 v.

17 ART.COM, INC., a California corporation;
18 and DOES 1 through 50, inclusive,

19 Defendants.

CASE NO.: 4:16-cv-00768-WHO

[Honorable William H. Orrick]

**DECLARATION OF JAMES KNAPP IN
SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF ATTORNEYS'
FEES AND COSTS AND CLASS
REPRESENTATIVE SERVICE AWARD**

20 Date: August 9, 2017
Time: 2:00 p.m.
Courtroom: 2

21 Complaint filed: February 16, 2016
22 Trial Date: None Set

DECLARATION OF JAMES KNAPP

1
2 1. I am the Plaintiff in the above-captioned case. I have personal knowledge of the
3 facts set forth in this declaration and could and would readily and competently testify under oath if
4 called as a witness.

5 2. I understand that this declaration will be used in support of Plaintiff's Motion for
6 Approval of Attorneys' Fees and Costs and Class Representative Service Award.

7 3. I understand that the Settlement Agreement in this case provides for a class
8 representative service award of up \$5,000, which is subject to the Court's approval. I also
9 understand that the requested service award is not conditioned on approval of the Settlement. In
10 other words, I understand that this Settlement could be approved but that I would be awarded a
11 sum smaller than \$5,000, or even no award at all. That said, I believe the \$5,000 is reasonable
12 based on the efforts that I have expended in this case and the excellent result achieved for the
13 Class.

14 4. To date, I have reviewed and responded to written discovery, I sat for my
15 deposition on July 8, 2016, and I have been in regular contact with my attorneys in this case,
16 reviewing documents and providing them with information, whenever they requested it from me. I
17 estimate that I have devoted approximately 28 hours of my time to this case, which can roughly be
18 broken down as follows:

- 19 • 4 hours speaking and meeting with my counsel before the filing of the Complaint
- 20 • 6 hours responding and reviewing written discovery responses and communicating with
21 my counsel
- 22 • 11 hours preparing and sitting for my deposition
- 23 • 1 hour consulting with my attorneys and reviewing/signing a declaration in support of
24 Plaintiff's motion for class certification
- 25 • 6 hours consulting with my attorneys during the mediation and reviewing various
26 documents relating to settlement and administration of the settlement

27 5. I was prepared to testify at trial, if necessary.
28

7. My primary goal in this case was to put an end to a business practice that I thought was deceptive. I understand that this Settlement requires Art.com to make changes to its business practices such that its advertised sales are bona fide sales and so that consumers are not likely to be deceived in the future.

Executed on 6/29/17 at Los Angeles, California.

James Knapp